

O I P E
APR 16 2002
U.S. PATENT & TRADEMARK OFFICE

MORRISON & FOERSTER LLP

Attorneys at Law
425 Market Street
San Francisco, California 94105-2482
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To: U.S. Patent & Trademark Office

Facsimile: 703-746-4060
Telephone: 703-308-1202

From: Stephen C. Durant

Date: April 16, 2002
Time: 12:32 PM

We are transmitting a total of 11 pages (including this page).
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RE: U.S. Pat. Appn. No. 09/747,602 filed 12/22/2000; Applicant: Kent GILSON; Title: VIVA;
Atty. Docket No.: 404332000200

Dear Sir:

Pursuant to a conversation today with the Office and per your request, attached are the following documents:

- 1) Notice to File Corrected Application Papers dated April 3, 2002;
- 2) Response to Notice to File Corrected Application Papers filed August 29, 2001, including the missing Abstract and a copy of the return postcard as date-stamped received by the Office on September 10, 2001.

After your review, please forward a withdrawal notice for the Notice to File Corrected Application Papers dated April 3, 2002.

Sincerely,

Stephen C. Durant, Reg. No. 31,506

APR. 16. 2002 1:40PM

MOFO 28TH FL

NO. 141 P.P. 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/747,602	12/22/2000	Kent Gilson	404332000200

CONFIRMATION NO. 8247

FORMALITIES LETTER



0000000007774665

Stephen C. Durant
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105-2482

RECEIVED

APR 8 - 2002

MORRISON & FOERSTER

Date Mailed: 04/03/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

A copy of this notice MUST be returned with the reply.

[Signature]
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

APR. 16. 2002 1:40PM MOFO 28TH FL

NO. 141

P. 3

O I P E
APR 16 2002
DOCKETING
RECEIVED
U.S. PATENT AND TRADEMARK OFFICE

Attorney Docket: 404332000200

Mailing Date: August 29, 2001

USSN: 09/747,602

Applicant(s): Kent L. GILSON

Filing Date: December 22, 2000

Title: VIVA

Papers enclosed:

- Transmittal Form with Certificate of Express Mail No. EL467929399US - 1 Page
- Fee Transmittal - 1 Page (*In Duplicate*)
- Response to Notice to File Corrected Application Papers Under 37 C.F.R. § 1.136(a) - 2 Pages
- Abstract - 1 Page
- Copy of Notice to File Corrected Application Papers - 1 Page
- Petition of Extension of Time Under 37 C.F.R. § 1.136(a) - 2 Pages
- This Return Receipt Postcard

SCD2/exw
sf-10843C

RECEIVED BY THE U.S. PATENT AND TRADEMARK OFFICE

Attorney Docket: 404332000200

Mailing Date: August 29, 2001

USSN: 09/747,602

Applicant(s): Kent L. GILSON

Filing Date: December 22, 2000

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- This Return Receipt Postcard

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AUG 29 2001
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SEP 10 2001

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SCD2/exw
sf-10843C

PTO/SB/21 (08-00)
Approved for use through 10/31/02. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
APR 16 2002
A11
U.S. DEPARTMENT OF COMMERCE

Please type a plus sign (+) inside this box →

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

Application Number	09747,602
Filing Date	December 22, 2000
First Named Inventor	Kent L. GILSON
Group Art Unit	2641
Examiner Name	To Be Assigned
Attorney Docket No.	404332000200

ENCLOSURES (check all that apply)

Fee Transmittal Form
 Fee Attached
 Amendment / Reply - 2 Pages
 After Final
 Affidavits/declarations

Extension of Time Request - 2 pages

Assignment Papers (for an Application)
 Drawing(s)
 Licensing-related Papers
 Petition
 Petition to Convert to a Provisional Application
 Prosecution by Assignee and Power of Attorney

After Allowance Communication to Group
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter

Other Enclosure(s) (please identify below):
1. Response to Notice to File Corrected Application Papers Under 37 C.F.R. § 1.136(a) - 2 pages
2. Abstract - 1 Page
3. Copy of Notice to File Corrected Application Papers - 1 page
4. Return Receipt Postcard

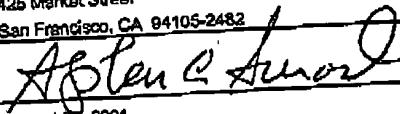
Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Document(s)
 Response to Missing Parts/ Incomplete Application
 Response to Missing Parts under 37 C.F.R. 1.52 or 1.53

Remarks

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Stephen C. Durant Reg. No. 31,508 Morrison & Foersler LLP 425 Market Street San Francisco, CA 94105-2482
-------------------------	--

Signature



Date

August 28, 2001

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL467929399US

Date of Deposit: August 28, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.



C. Wilson
Time will vary depending upon the needs of the individual case. Any comments on the amount of time you
officer. U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED
form. This is a non-refundable application. Washington, DC 20231.

PTO/SB/17-09-00)

Approved for use through 10/31/2002. OMB 0551-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE, U.S. GOVERNMENT

FEE TRANSMITTAL FOR FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$65.00)

Complete if Known

Application Number	09/747,602
Filing Date	December 22, 2000
First Named Inventor	Kent L. GILSON
Examiner Name	To Be Assigned
Group Art Unit	2641

TOTAL AMOUNT OF PAYMENT

(\$65.00)

Attorney Docket No. 404332000200

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952

Deposit Account Name Morrison & Foerster LLP

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit Card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	208	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
20	+20 = 0	X	= \$0.00
Independent Claims 3	+3 = 0	X	= \$0.00
Multiple Dependent			= \$0.00

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	8	Claims in excess of 20
102	50	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claims, if not paid
109	50	209	40	Reissues independent claims over original patent
110	18	210	8	Reissues claims in excess of 20 and over original patent

SUBTOTAL (2)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or cash	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	\$55.00
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to Institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
148	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid \$55.00 SUBTOTAL (3) (\$55.00)

Complete if applicable

SUBMITTED BY

Name (Print/Type)

Stephen C. Durant

Registration No.
(Attorney/Agent)

31,506

Telephone (415) 268-7000

Signature

Stephen C. Durant

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Attorney Hour Statement: This form is not intended to take the place of an attorney hour statement. There will be a fee depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be included on the PTO-2038.

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NO. 141

P. 11

Page 1 of 1
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APR 16 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/747,602	05/14/2001	Kent Gilson	404332000200

CONFIRMATION NO. 8247

FORMALITIES LETTER



000000008178399

Stephen C. Durant
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105-2482

Date Mailed: 06/13/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

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- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

A copy of this notice MUST be returned with the reply.

Ruth BERN

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE